

**REMARKS/ARGUMENTS**

This Amendment is being filed concurrently with the filing of an Request for Continued Examination (RCE). In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested.

Claims 1-4 (previously 14-17) have been rejected under 35 USC 103 as being obvious over Kaplan in view of Doerr. For at least the following reasons, Applicant respectfully submits that amended claims 1-4 are not rendered obvious by the cited references.

The Office Action alleges that the registration process and checking of registration is inherently included in Kaplan's teaching of establishing a telecommunication link to a network and access control. Applicant respectfully points out that the word "registration" is not present in Kaplan or Doerr. In claim 1, Kaplan teaches that the equipment transmits user identification data from the remote user's computer to the central host server thereby allowing the central host server to identify and track the user's progress through the network web site. The user is identified by the server in Kaplan. The system uses (column 4, line 59) identification (ID) means for recognizing a user ID which specifically identifies the user to the network web site. Thus, in Kaplan, there is no means for the web server of the web site to control the equipment. The invention in Kaplan includes system identification of the user, not user registration to the system. Further, column 15, lines 54-67 indicates that identification allows the web site server to uniquely associate events during web site usage, such as the user's searches, ratings, and

purchase requests. In addition, user identification can also be used to gather accurate demographic data, including the user's ratings, along with a cataloging of events that occur during web site usage. Thus, Applicant respectfully submits that the identification of the user is only for gathering informative data and does not constitute a registration as claimed.

Applicant also respectfully submits that the cited part of Doerr (column 1, lines 35-41) does not teach a means to control the remote equipment. Rather, it only teaches how to download new pieces of digital music. Additionally, Applicant respectfully submits that Doerr contains the word "identification" (column 7, line 19), signifying a low-usage information transmission.

The present claims provide a system that is controlled by a server, the jukebox device being provided with a registration process for registering the jukebox device with the server, and a registration checking process (Claim 1). In addition, the jukebox comprises a fee payment device, also connected to the input interface circuit, that makes possible to receive payment using coins, tickets, tokens, magnetic cards, or a combination of means of payment. This feature is the fee payment system cited in Claim 1. Further, the claim includes a feature for starting the system, loaded automatically as soon as the system is powered up, and going into the "in service" mode if the registration number is valid. At least this last feature makes the system of the presently pending claims new and non-obvious, because it enables the server to stop the jukebox device if it is not

registered. Applicant respectfully submits that this remote control of the system is a security function that is new and non-obvious with respect to Kaplan and Doerr.

Moreover, the system described by Doerr is a system for sampling and previewing music, videos, and special events (column 2, lines 19-24). With such a system, it is possible to play a trailer of thirty seconds, or a long trailer of two minutes. As explained in Claim 1, it is a system for previewing (column 5, line 19). Therefore Doerr does not teach or suggest a system that is designed to play entire songs as claimed. Further, Kaplan describes a method for enabling a user to preview a portion of music product (column 4, line 24).

In contrast, the present claims provide a system that plays songs in their entirety. Applicant respectfully submits that this feature makes the system of Mastronardi different from the systems of Kaplan and Doerr, even if combined. First, in the present claims, the jukebox needs the ability to download, to store, and to play music data. Second, the jukebox needs remote control functionality that enables the playing of entire songs by registering the jukebox. The specific combination of features set forth in claim 1 is simply not taught or suggested by the combined teachings of Kaplan and Doerr.

Amended claims 2-4 and new claim 5 depend from amended claim 1. Thus, these claims are allowable at least by virtue of their dependency from the allowable, independent amended claim 1.

For at least the foregoing reasons, Applicant respectfully submits that the invention defined by the amended claims herein is not taught or suggested by the prior art

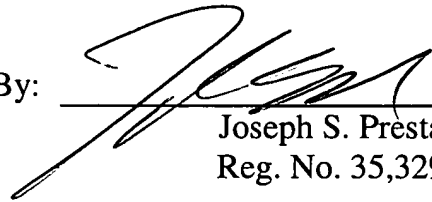
MASTRONARDII  
Appl. No. 09/888,540  
July 6, 2005

of record. Thus, withdrawal of the rejections and allowance of this application are earnestly solicited.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

A handwritten signature in dark ink, appearing to read 'J. Presta', is written over a horizontal line.

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